

He Was Drugged and In That Condition He Was Married.

The Allegation Made by Melbourne McDowell.

Kansas City, Mo., Jan. 11.—Melbourne McDowell, tragedian and husband of the late Fanny Davenport, makes the sensational charge that he was drugged into his second marriage to Wilhelmina Straus, of Baltimore. The statement is made in his suit against L. N. Scott, manager of the Metropolitan Opera house, in St. Paul and Minneapolis, Clarence M. Brune, a theatrical manager, and others.

McDowell alleges that it was drugged in New York and taken in that condition to Newport News, Va., on a steamer. Still under the influence of the drug, he swears, he was married to Miss Straus and did not recover his faculties until three days later.

He alleges, also, that he was induced, while drunk, to sign bills of sale, conveying to Brune the rights to the Sardon plays in his repertoire for \$500, and he asks that the transaction be set aside. Brune started his wife, Minnie Tittell Brune and McDowell in Sardon's "Fedora" in 1900 and 1901.

McDowell swears that he has had trouble with his career, Miss Blanch Walsh, and his manager, Mr. Sterns, and that Miss Walsh broke his heart when she left him.

The suit was filed in the Ramsey county, Minn., District court, by McDowell and May D. Seymour, executors of the will of Fanny Davenport.

The plaintiffs seek to recover \$175 back salary due to McDowell, and to restrain Brune from producing any of the Sardon plays.

Mrs. Seymour, the executrix, lives at Duxbury, Mass. She is a sister of the late Fanny Davenport. Her husband is William Seymour, one of the best known stage directors in the country.

Wilhelmina Straus, McDowell's second wife, is a daughter of the late William H. Straus, of Baltimore. Her brother is Isaac Lobe Straus, once a candidate for the Democratic nomination for Congress. She was divorced from her first husband, Louis Brafman. She is a beautiful blonde.

She was married to McDowell at Newport News, Va., June 16, 1900, and described herself then as Wilhelmina Maria Wilton, a widow, 27 years old.

Woodworms can't stand benzine. Woodworms can be destroyed in books and woodwork by benzine. Books are locked up in a cupboard with a saucer of benzine. The insects, as well as their larvae and eggs, soon die off. Furniture and carvings are similarly placed in a room with a dish of benzine and kept closed up for several weeks. The time required for the complete destruction of the insects varies according to the thickness of the wood. New woodwork can be protected against their entry by a coating of glue, as living on vegetable substances, they do not touch animal products.

Why did you resign from your club? he asked. "Oh, they were so absurdly particular," she replied. "How?" "Why, the chairman wouldn't let me talk just because some one else was talking—as if that made any difference,"—Chicago Post.

The Reason. A German professor who is given to great deliberation of speech and has never been known to increase its speed under the most compelling circumstances had an amusing experience in a restaurant not long ago.

The water had brought him raw oysters, and to his dismay, he saw that the professor had apparently no intention of tasting them. "I cannot eat these oysters," said the German slowly, without raising his eyes to the anxious waiter. The man seized the plate and bore it out of sight in an instant. He was a new waiter, and it was with much trepidation that he laid the second supply of oysters before this discriminating patron.

"I cannot eat these oysters," said the professor after one glance at the plate which had been set before him. "I—I think you'd find them all right, sir," faltered the waiter. "I don't think there's anything wrong about them, sir." He looked miserable, having been told that the German was a frequent and valued patron of the restaurant and must be well and quickly served.

"I cannot eat these oysters," announced the professor for the third time, with the calmness of a man in a tragedy, "because as yet you have furnished me no fork."—Youth's Companion.



Several kind workers pooled their efforts to insure the Waifs a happy holiday. They rounded up the little Hickys at a Mission and gave them a Free Show. Every Swipes in the Place was a Monday Night Gallery.

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SOME LEGAL FREAKS

CURIOUS TWISTS THAT OBTAIN IN ENGLISH CRIMINAL LAW.

A Person May Be Guilty of Perjury Though He Swears to the Truth—No Such Offense as Trespass—Points About Forgery.

In no branch of the law as it is dispensed in Great Britain are such curious points to be found or a greater number of anomalies to be met with than in the criminal branch thereof.

It may be news to some people, for instance, to know that there are a number of things in existence which cannot be stolen, such as a corpse, animals from nature, etc. Animals wild in a state of nature (with certain exceptions created by statute)—soil of the earth, etc. To attempt to steal nothing would appear on the face of it to be an impossibility, much less a crime, but a man indicted for attempting to pick a lady's pocket which was subsequently found to be empty was found guilty of an "attempt to commit theft," though, in fact, there was nothing in the pocket to steal.

Any one lucky enough to pick up a sovereign lying in the road will be glad to hear that, if at the time of finding it he had no reasonable means of discovering the owner of it, and also if he did not at the same time conceive the idea of appropriating it to himself, he will not be guilty of stealing if he keeps his lucky find, even if the rightful owner discovers and claims it.

Most people walking in the country must have noticed on numerous occasions boards or placards posted up in woods, fields, etc., notifying in large letters that "trespassers will be prosecuted," but few are aware that such notices are utterly useless and no one need feel the least alarm thereat, there being no such offense known in criminal law as such a trespass, and a person could never be prosecuted for such an offense. They are, in fact, in the words of that eminent jurist, Sir Frederick Pollock, in his well known work, "Pollock on Torts," a "wooden falsehood."

It is a common fallacy to imagine that the crime of forgery consists in signing another's name, though in fact committing forgery consists in making and uttering any false instrument in writing with attempt to defraud; thus it may be a forgery to omit a word from a document, and it will be a matter of considerable surprise to many to learn that it is possible for a person to forge his or her own name. A person, however, who fraudulently inserts another's name on a picture, thereby selling it as the work of some other artist, is not guilty of forgery, as a picture is not an "instrument in writing."

The crime of perjury also does not consist in "at it" which the generally accepted idea, which is that if a person, after being sworn on oath to speak the truth, swears falsely, he is guilty of such offense. This is correct with the important qualification that the fact the witness has sworn to must be material to the case. Thus, if a witness on being duly sworn gave a false address on being asked where he lived, this, though untrue, would not amount to perjury, as the place where the witness lived would be quite immaterial.

That a person may be guilty of perjury though speaking the truth may seem a curious anomaly, but such nevertheless is the fact, as the test of perjury is not whether a person is speaking what he believes to be the truth; so, if a witness, for instance, on being asked, "What colored tie was the prisoner wearing when you met him?" replied "red," when in fact he did not really notice, he would be guilty of perjury, even though the prisoner was in reality wearing a red tie when the witness met him.

Numerous other instances of crimes which present similar curious points to the above might be given, and, in passing, persons taking out insurances against burglary might note that this crime can only be committed between the hours of 9 p. m. and 6 a. m.; that breaking into a house by sliding down the chimney is.

We must not conclude this article without a short reference to a comparatively recent case in which a man not possessing the means to pay entered a restaurant, where he ordered and ate a good dinner. As, however, he was unable to pay for the same he was given in charge and subsequently indicted for "obtaining goods by false pretenses." The case resulted in the prisoner's acquittal on the ground that he had not been guilty of any false pretenses.

This individual therefore had a good meal on the cheap, but we should not advise any enterprising reader to emulate his example, as, although he could not indeed be prosecuted for obtaining goods by false pretenses, it seems that he will still be criminally liable under the bankruptcy act for obtaining credit by fraudulent means.—London Tit-Bits.

Averting a Panic. On one occasion John Philip Sousa by his promptness was the direct means of stopping a panic which might have had the most disastrous results. While his band was playing before 12,000 people in St. Louis the electric lights in the hall went out suddenly. People began to move uneasily in their seats, and some even began to make a rush for the doors. Coolly tapping with his baton, Sousa gave a signal, and immediately his band began playing. "Oh, Dear, What Can the Matter Be?" A tiny ripple of laughter that went round the audience showed that confidence had partially been restored. When the band began to play "Wait Till the Clouds Roll By," the laughter deepened into a roar of merriment that only ended when the lights were turned on again.

Both Sides. Johnnie—What does it mean by "seeing the humorous and the serious side of things?" Father—Well, my son, take a bit of orange peel, for example. How many sides has it? Johnnie—Why, two, of course. Father—Exactly. And when some other man steps on that orange peel he sees the serious side of it and you see the humorous side.—London Tit-Bits.

Convenient. "What are marsupials?" asked the teacher, and Johnny was ready with his answer. "Animals that have pouches in their stomachs," he said glibly. "And for what are these pouches used?" asked the teacher, ignoring the slight inaccuracy of the answer. "I'm sure that you know that too." "Yes," said Johnny, with encouraging promptness. "The pouches are for them to crawl into and conceal themselves when pursued."—Exchange.

Another Matter. City Magistrate—Of course I don't wish to stand in the way of my daughter's happiness, but I know as little of her as Mr. Hawkins. What is your vocation? Mr. Hawkins (nearly)—Oh, I write—er—poetry, novels—er—plays and that sort of thing. City Magistrate—Indeed! Most interesting! And how do you live?—Punch.

ENLIGHTENED THE COURT.

A Story of Lord Morris' Daring as an Advocate.

Lord Morris possessed an almost inexhaustible fund of humor, which, it may be said, was not always appreciated in the house of lords. The following story is perhaps illustrative of his qualities as an advocate rather than his qualities as a humorist. On one occasion an irritable judge interrupted him in the middle of a law argument by saying testily, "I don't understand a single word, sir, of your notice of motion."

"Not a single word?" said young Morris. "That is very unfortunate, my lord. I must endeavor to explain." Young Morris then read over the notice of motion with exaggerated emphasis. "Sir: Take notice that on April 6, or on the first opportunity thereafter, counsel on behalf of the plaintiff will apply to this honorable court for an order that," and so on. "Now, my lord, to proceed with my explanation. 'Sir: That, my lord, is the monosyllabic mode of address adopted by the solicitor for the plaintiff to the solicitor for the defendant. It is curt, my lord, and indicates that the parties are now at arm's length; but it is not discourteous, nor does it preclude the possibility of friendly private relations between the solicitors. 'Take notice.' This, your lordship will observe, is in the nature of a warning. The object is that the solicitor shall be prepared for the application, and, above all, that he shall have an opportunity to instruct and fee counsel to resist the motion. 'On April 6.' That day is now past, my lord, and therefore unavailable for the making of this motion. 'Or on the first opportunity thereafter.' That, my lord, is the present occasion. 'Counsel on behalf of the plaintiff.' That, my lord, is the humble individual who appears before you. 'Will apply to this honorable court.' That is the learned and courteous judge whom I have the honor to address. 'For an order.' That, my lord—"

But the judge had heard enough. "Go on with your motion, Mr. Morris," he said, joining in the general laughter. "I have learned my lesson."—London Law Times.

FLORIDA AND TREE. A single leaf of the orange tree carefully planted will often take root and grow.

Rosin and tallow in equal parts make an excellent covering for wounds in fruit trees.

"Belling" a tree—that is, killing it by destroying the bark in a circle around the trunk—injures it for lumber.

In transplanting trees all roots that have become bruised or broken should be cut clean away behind the broken part.

A pan of water kept steaming in the stove will keep the atmosphere in good condition for the growth of house plants during the winter.

Trees should always be trimmed when young and growing in such a manner that there will be no necessity for cutting off large limbs.

Wood mold, provided it is fine and free from roots and sticks, with the addition of a little well rotted compost, makes a splendid soil for the pots or boxes in which to grow the house plants in winter.

Orchards generally produce full crops only every other year. This is because the full crop of one year exhausts the fruit producing qualities of the soil that it is not able to make a full crop the next year.

The Lined Politician. A dispensary doctor in the Emerald Isle is expected to dispense many things besides drugs.

His life is certainly not a bed of roses. These people are woefully ignorant, yet no Irishman likes to confess to want of adequate knowledge.

One day I ordered a lined politician to be put on an old man's chest. The next morning he was no better, and I was accused of incompetency.

"I put the plaster to him, your honor," said his wife, "though he spit an spit like a big snail. But it ain't done no good! An', docthor, honey, it was a big dose!"

Then I realized Mrs. Moulton's method of poulticing her good man's chest. She had applied the soft mass internally!

The carriage was seated one other passenger. As soon as they had regained their breath one said: "Pat, have you got th' tickets?" "What tickets? I've got me loffe! I thought I'd have lost that gettin' in th' train. Have you got 'em, Molke?" "Oh! Begorrah, I haven't!"

"Oh, we're all done for, this!" said the third. "They'll charge us roight from th' other side of Oireland." The old gentleman looked over his newspaper and said: "You are quite safe, gentlemen. Wait till we get to th' next station."

As soon as the train pulled up the little gentleman jumped out and came back with three first class tickets. Handing them to the astonished strangers, he said: "Whist, I'll tell you how I did it! I went along th' train. 'Tickets, please; tickets, please!' I called, and these belong to three Saxon tourists in another carriage."—Harry Furness in Strand.

St. Paul's. "It is curious," says the London Chronicle, "how St. Paul's, although the first cathedral church in England that was built actually for the observance of the Anglican ritual, manages nevertheless to retain something of a foreign and a Catholic nature in the way it offers shelter to the tired passerby. Apart from the restless groups of eighteenth century, there are always plenty of people there who have gone in solely for the sake of its wonderful peace and quiet."

"They would have found neither, by the way, in old St. Paul's of the fifteenth century, for while mass was being said in one chapel, a funeral service in another, and so on, all sorts of commerce was carried on in the middle aisle, from the hiring of servants to the transaction of legal business."

"We have altered all that nowadays, and St. Paul's is the quietest spot in the noisiest city in the world."

LITTLE LEAKS. What They May Lead to and How They May Be Stopped. It is possible to lose much by little. A classic case is that of the royal granary which was depleted of its stores by a succession of "one rat came and took one grain away, and another rat came and took another grain away." So fortunes are dissipated, and reputations are destroyed, and health is ruined and character itself lost—by little extravagances, little indiscretions, little negligences, little obliquities.

Benjamin Franklin was a great economist not alone of money, but of time. He said, "To teach a young man to shave himself is as good as to give him a purse of gold." He had reference to the minutes as well as the dimes it costs to patronize the barber.

Elihu Burritt stopped the leak in his time and taught himself a dozen languages. Gladstone was equally wise, for he read Plato in his carriage between Carleton terrace and the parliament buildings.

A prosperous man ascribed his success in business to his habit of permitting no particle of material to be unproductive. He experimented and elaborated until he found a method of disposing profitably of every atom left over.

There is a man in New York who has in bank a goodly sum of money which he calls his "tit bit fund." When tempted to needless expenditure by the specious plea, "It's but a nickel or a quarter or a dollar," he denies himself and drops the amount he would have spent into a portable bank, which is filled with amazing rapidity. That is one way to stop a leak.

More serious than any prudential matter are the little leaks in life by which vital energy is squandered and moral force is diminished, imperceptibly it may be, through what we sometimes regard as inconsequential acts. Lack of order in our methods of labor, indifference to the "minor morals" of hygiene and the "major morals" of honesty and truth, the practical repudiation of personal responsibility, the neglect of duties which arise from our ethical and religious nature—these are the leaks which we must stop or be bankrupt in the world's eyes and in God's.—Saturday Evening Post.

A LESSON IN CHESS. Why Willie's Papa Ended It Almost Before It Was Begun. Paterfamilias, with a laudable desire to keep Willie at home at night, offered to teach him to play chess. The boy was delighted, and the game began.

"Put the little ones, pawns, all along the front and the big ones behind, as I show you."

"I think that is cowardly. The big ones ought to be in front. Ma says—"

"Oh, but that is the rule. Now, see; put that rook in the corner."

"Rook! What's a rook?" "It is a kind of bird."

"Well, that ain't a bird. It looks like a castle."

Advice as to Roasting a Turkey. "Ninety-nine women out of every hundred, ninety-nine cooks out of every hundred, will bake a turkey with the back to the pan," said a New Orleans man who keeps in touch with the kitchen, "and this is a mistake. A famous French cook I know never thinks of baking a turkey with the breast up. The breast is turned to the bottom of the pan and instead of being dry and tasteless when it is served is richly flavored and as sweet and juicy as one would care to have it. You see, all the fat of the turkey, the juices of the dressing and all the dainties touches flow down toward the breast of the fowl, and when the white meat is served you get the full benefit of every flavor added during the processes of preparing and baking the turkey, in addition to the distinctive taste of the fowl itself."

"Inconvenient and awkward! Not at all. It is just as easy to cook a turkey in this way as in any other way, and the result is infinitely more satisfactory. It is no trouble to arrange the fowl in the pan. If you desire to place the fowl on the table before carving it, you will find that it will look quite as well as it would if baked in the usual way, and certainly it will taste much better than it would if you baked the breast until it was dry and flavorless."—New Orleans Times-Democrat.

Snails Are Queer Creatures. The snail is found everywhere, 3,332 species being known, serving in France as an important item of diet and in this country an attractive inhabitant of the fernery. Some of the large tropical snails, as bulimus, form nests of leaves, their eggs being as large as a pigeon's.

The snail is extremely skillful in mending its shell, and some curious experiments may be tried with them. Thus I have seen a helix of a yellow species attached to another shell of a reddish hue by cutting off the top whorl of the latter, when the snail will proceed to weld the two shells together and occupy both, using the addition as a door and possibly wondering at this sudden extension of its house.

In the winter some of the snails hibernate or lie dormant until warm weather, just as the snakes do in California. A snail of the Philippine Islands has a faculty of throwing off its tail when seized. This is also true of a West Indian variety—stenophorus.

Spiders' Webs. The webs of those spiders which spin snares out of doors, as the geometrical garden spider, are formed of two sorts of silk, one of which is used for the main cables and the radiating threads, the other for the concentric threads. The latter are thickly studded with minute globules of the viscous substance, which retain the fly, gnat or moth that may blunder against them, while the former are quite dry and harmless. A third kind of silk is produced by the busy little spinner when some such large insect as a wasp has become entangled in the web and threatens to break the delicate structure in its struggles. This takes the form of an enveloping mass, which is suddenly produced and which effectually prevents any further gyrations on the part of the captured insect.—Cornhill Magazine.

A Giant Tree. Near Dakar, in lower Senegal, is an enormous baobab tree whose trunk measures fully seventy-five feet in circumference at the base. The fruit of the baobab, which grows abundantly in Senegal, is called "monkey bread." It is used by the natives for curdling milk and as a specific for certain diseases. Decoctions of the dried leaves are also used as medicine. From the bark strong cords are made, and the gum that exudes from it is employed as a salve. The root of the young baobab is sometimes eaten by the natives.

A Household Sandbag. A sandbag is a very useful thing to have in the house. Dry the sand thoroughly in the oven and then make a flannel bag about eight inches square. Fill it with the sand, sew up the opening carefully and cover the bag with cotton or linen. This will prevent the sand from settling out and will allow of the bag being quickly heated when required by placing it in the oven. Sand holds heat a long time and is softer to the feet of an invalid than the ordinary hot water bottle.

The Artichoke. The artichoke has nothing to do with art or the choking of it. The artichoke is an innocent vegetable, known to the Arabians as the ardischauki, or earth thorn. The Jerusalem artichoke was never seen near Jerusalem. Its first name is a corruption of the Italian girasole, which means turning to the sun. It is a species of sunflower, bearing a tuber like that of a potato.

Tried to Improve. A little girl who made frequent use of the word "guess" was corrected for it and told to say "presume" instead. A lady friend, noticing the admirable set of the little girl's apron, asked something in regard to the pattern.

"Mamma don't cut my dresses apron by a pattern," said the small lady. "She just looks at me and presumes!"

Well Forged. Joakley—I understand there's considerable talk now in naval circles about some orders that were forged very skillfully. Joakley—Aha! Another scandal, eh? Joakley—Oh, no. They were orders for some eight inch guns.—Exchange.

He Got In the Way. Jimson—You say your wife threw the poker at a stray dog and hit you instead. Jester—Yes, but it was my fault. I had no business standing behind her when she threw.—Ohio State Journal.

Cured. The following is a Chinese joke: In a certain house there was a baby that annoyed every one by its continual squalling. At last a physician was called in. He administered a bolus of the soothing virtues of which he had a high opinion and offered to pass the night in the house to observe the effects of his remedy. After a few hours, hearing no noise, he exclaimed: "Good! The child is cured!" "Yes," replied the attendant, "the child has indeed stopped crying, but the mother has begun to moan."

A Guide. Dr. A.—Why do you always make such particular inquiries as to what your patients eat? Does that assist you in your diagnosis? Dr. B.—Not much, but it enables me to ascertain their social position and arrange my fees accordingly.—Tit Bits.

Trouble For the Tourists. The poor Saxon "tourist"—what he may suffer in the Emerald Isle! There is a story on record of three Irishmen rushing away from the race meeting at Punchestown to catch a train back to Dublin. At the moment a train from a long distance pulled up at the station, and the three men scrambled in. In

Kodol Digests what you Eat
Dyspepsia Cure

When the stomach is diseased all the other organs suffer, hence fatal diseases of the heart, liver, lungs and kidneys are often the result of improper digestion. Kodol, DYSPEPSIA CURE contains all the natural digestive fluids and by digesting what you eat, it cures the indigestion without aid from the stomach, allowing it to rest and regain its healthy condition and permitting you to eat all the good food you want.

"My rest is often disturbed at night by irregular heart action which I believe is on account of my stomach being overloaded with undigested food. I keep a bottle of KODOL, DYSPEPSIA CURE nearby and a small dose always gives me instant relief. Ed. Thomas, Leitchfield, Ky."

It can't help but do you good

Prepared by E. C. DeWitt & Co., Chicago. The 11 bottle contains 2 1/2 times the full size.

The favorite household remedy for coughs, colds, croup, bronchitis, whooping, throat and lung troubles is **ONE MINUTE Cough Cure**. It cures quickly.

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